

S.R. 132 : By Kothmann, Traeger, Vale, Schwartz: Extending welcome to Mr. and Mrs. Morris Feingold.

ADJOURNMENT

On motion of Senator Moore the Senate at 11:46 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

TWENTIETH DAY

(Wednesday, February 14, 1979)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Absent-excused: Longoria, Truan.

A quorum was announced present.

Chaplain Gerald Mann, University Baptist Church, Austin, offered the invocation as follows:

Our Father,

As the Senators face the decisions of the day, remind them that most of the world's progress has resulted from people who took unpopular positions. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Truan was granted leave of absence for today on account of illness on motion of Senator Doggett.

Senator Longoria was granted leave of absence for today on account of important business on motion of Senator Kothmann.

CO-AUTHORS OF SENATE BILL 525

On motion of Senator Snelson and by unanimous consent, Senators Parker and Short will be shown as Co-authors of **S.B. 525**.

REPORTS OF STANDING COMMITTEES

Senator Mauzy submitted the following report for the Committee on Education:

S.B. 413 (Amended)
S.B. 190
S.B. 191

Senator Jones of Harris submitted the following report for the Committee on Administration:

S.C.R. 24
H.C.R. 19

Senator Farabee submitted the following report for the Committee on Jurisprudence:

S.B. 228
S.B. 249 (Amended)
S.B. 427
S.B. 452
C.S.S.B. 292 (Read first time)
C.S.S.B. 209 (Read first time)

Senator Snelson submitted the following report for the Committee on Intergovernmental Relations:

H.B. 372
H.B. 300
S.B. 74 (Amended)
S.B. 375
S.B. 256

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 557 by Jones of Harris State Affairs
Relating to changes in the primary nomination filing fee schedule; amending Subsection (c), Section 186, Texas Election Code, as amended (Article 13.08, Vernon's Texas Election Code); and declaring an emergency.

S.B. 558 by Mengden State Affairs
Relating to the regulation of sexually oriented conduct in on-premise alcoholic beverage establishments; providing a penalty; adding Subchapter E to Chapter 101, Alcoholic Beverage Code.

S.B. 559 by Mengden Intergovernmental Relations
Relating to county regulation of certain businesses where nudity is practiced; providing a penalty.

S.B. 560 by Price Finance
Relating to salary and benefits for certain officers of the Department of Public Safety.

S.B. 561 by Price Intergovernmental Relations
Relating to county authority to own or care for a cemetery.

S.B. 562 by Blake Education
Relating to a university center student fee for Stephen F. Austin State University.

S.B. 563 by Blake Finance
Making appropriations to pay the additional cost of purchased utilities at certain institutions of higher education.

S.B. 564 by Traeger Finance
Relating to the time period in which a retailer may accept sales and use tax resale or exemption certificates; amending Sections (F) and (G) of Article 20.021, Sections (F) and (G) of Article 20.031 and Section (B) of Article 20.04, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 565 by Doggett Intergovernmental Relations
Relating to creation of the office of budget officer in certain counties.

S.B. 566 by Andujar Education
Relating to a state historical collection at Texas Woman's University.

S.B. 567 by Vale State Affairs
Relating to discrimination in employment because of age.

S.B. 568 by Short, Moore, Creighton, Traeger Natural Resources
Relating to the per diem and mileage expenses of soil and water conservation district directors.

S.B. 569 by Jones of Taylor Finance
Relating to exemption of certain intangible property from ad valorem taxation.

S.B. 570 by Santiesteban Intergovernmental Relations
Relating to the office of bailiff of each district court and statutory county court.

S.B. 576 by Brooks, Ogg, Jones of Harris, Education
Mengden, Williams, Schwartz
Relating to the establishment of a coeducational institution of higher education to be located in the city of Houston, to be known as the University of Houston-Downtown College; amending Chapter 111, Texas Education Code, by adding Subchapter F.

S.C.R. 27 by Traeger State Affairs
Supporting the efforts in Congress to abolish the national speed limit of 55 miles per hour.

HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 370, To Committee on Intergovernmental Relations.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator McKnight gave notice that he would tomorrow at the conclusion of Morning Call submit to the Senate for consideration nominations to agencies, boards and commissions of the State.

SENATE BILL 143 ON SECOND READING

Senator Ogg moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 143** be taken up for consideration at this time:

S.B. 143, Relating to jurisdiction of a suit affecting the parent-child relationship.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read second time and was passed to engrossment.

SENATE BILL 143 ON THIRD READING

Senator Ogg moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 143** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

MESSAGE FROM THE HOUSE

House Chamber
February 14, 1979

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT THE HOUSE HAS PASSED THE FOLLOWING:

H.C.R. 60 relating to the sale of bonds by a senior college or university only after consideration by the current legislature

H.B. 20 relating to possession of intoxicating beverages on public school grounds

RESPECTFULLY,

BETTY MURRAY, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE SENATE BILL 166
ON SECOND READING**

Senator Santiesteban moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **C.S.S.B. 166** be taken up for consideration at this time:

C.S.S.B. 166, Relating to the regulation of pawnshops, pawnbrokers, and employees of pawnshops.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Nays: Price.

Absent-excused: Longoria, Truan.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 166
ON THIRD READING**

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 166** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Nays: Price.

Absent-excused: Longoria, Truan.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Price asked to be recorded as voting "Nay" on the final passage of the bill.

**COMMITTEE SUBSTITUTE SENATE BILL 189
ON SECOND READING**

Senator Mauzy moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **C.S.S.B. 189** be taken up for consideration at this time:

C.S.S.B. 189, Relating to the establishment of programs for school volunteers.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 189
ON THIRD READING**

Senator Mauzy moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 189** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read third time and was passed.

SENATE BILL 193 ON SECOND READING

Senator Farabee moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 193** be taken up for consideration at this time:

S.B. 193, Amending the Texas Mental Health Code, as amended (codified as Article 5547-1, et seq., V.T.C.S.), authorizing the head of a mental hospital to disclose information concerning a deceased patient upon the consent of certain persons, providing for severability and declaring an emergency.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read second time and was passed to engrossment.

SENATE BILL 193 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 193** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

SENATE BILL 194 ON SECOND READING

Senator Farabee moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 194** be taken up for consideration at this time:

S.B. 194, Amending the Mentally Retarded Persons Act of 1977 (codified as Article 5547-300, V.T.C.S.), authorizing the disclosure of records concerning a deceased mentally retarded person upon the consent of certain persons, providing for severability and declaring an emergency.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read second time and was passed to engrossment.

SENATE BILL 194 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 194** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

SENATE BILL 266 ON SECOND READING

Senator Brooks moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 266** be taken up for consideration at this time:

S.B. 266, Amending Article 4447s, V.T.C.S. (Acts 1977, 65th Legislature, ch. 621 at 1528), relating to disclosure by certain professions and occupations of name and net amount paid for tests by laboratories, and declaring an emergency.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Truan.

The bill was read second time and was passed to engrossment.